



United States Environmental  
Protection Agency  
Washington, DC 20460

**Interagency Agreement/  
Amendment**

**Part 1 - General Information**

<b>1. EPA IA Identification Number</b> DW-96-94184301 - R		<b>2. Funding Location by Region</b> EPA R2																					
		<b>3. Other Agency IA ID Number (if known)</b>																					
		<b>4. Awarding Office</b> IASSC West																					
<b>5. Type of Action</b> Augmentation: Increase		<b>6. IA Specialist:</b> Kathy Tsing-Choy 206-553-4688 Tsing-Choy.Kathy@epa.gov																					
<b>7. Name and Address of EPA Organization</b> US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		<b>8. Name and Address of Other Agency</b> U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200																					
<b>9. DUNS:</b> 029128894	<b>10. BETC:</b> DISB	<b>11. DUNS:</b> DOD964126	<b>12. BETC:</b> COLL																				
<b>13. Project Title and Description</b> Welsbach & General Gas Mantle Site, OU1 (Building Demolition)  Remedial Design Activities at the Welsbach & General Gas Mantle Operable Unit 1 (Building Demolition) Site, located within the cities of Camden and Gloucester, Camden County, New Jersey. The USACE-Kansas City District will continue remedial design activities at the Welsbach & General Gas Mantle Superfund Site (EPA ID# NJD986620995). This IA also includes the American Recovery and Reinvestment Act of 2009 (ARRA) projects, Amendment #M and Amendment #P, officially closed ARRA projects.  This amendment increases non-ARRA Federal funding by \$500,000 for the ongoing design of the OU1 remedy at the Welsbach & General Gas Mantle Contamination Superfund site and adds Terms and Conditions #20.																							
<b>14. EPA Project Officer (Name, Address, Telephone Number)</b> Justin Gottesman 290 Broadway (ERRD/PSB/CMS) New York, NY 10007-1866 212-637-4303 <b>E-Mail:</b> gottesman.justin@epa.gov <b>FAX:</b>		<b>15. Other Agency Project Officer (Name, Address, Telephone)</b> Marvene L. Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 <b>E-Mail:</b> Marvene.L.Seaman@usace.army.mil <b>FAX:</b> 402-697-2613																					
<b>16. Project Period:</b> 08/23/1999 to 08/22/2014		<b>17. Budget Period:</b> 08/23/1999 to 08/22/2014																					
<b>18. Scope of Work (See Attachment)</b> SCOPE OF WORK REMAINS THE SAME  EPA and USACE will utilize the Direct Fund Cite and Revised Reimbursable payment methods. Funds are divided as follows: <table border="1"> <thead> <tr> <th></th> <th>Previous</th> <th>Current</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Revised Reimbursable (68-68X8145)</td> <td>\$4,502,398.80</td> <td>\$20,000.00</td> <td>\$ 4,522,398.80</td> </tr> <tr> <td>Direct Fund Cite (68-68X8145)</td> <td>\$27,896,092.00</td> <td>\$480,000.00</td> <td>\$28,376,092.00</td> </tr> <tr> <td>Direct Fund Cite (689/08195)</td> <td>\$6,000,000.00</td> <td>\$0.00</td> <td>\$6,000,000.00</td> </tr> <tr> <td><b>Total</b></td> <td><b>\$38,398,490.80</b></td> <td><b>\$500,000.00</b></td> <td><b>\$38,898,490.00</b></td> </tr> </tbody> </table> Funding Agency's Treasury Symbols: 68-68X8145 NO-YEAR (Note: Former TAS 68-20X8145); 689/08195 2-YEAR  Indirect Costs are based on Personnel and Fringe Benefits. Rick Robinson is the Project Manager and he can be reached at 212-637-4371.					Previous	Current	Total	Revised Reimbursable (68-68X8145)	\$4,502,398.80	\$20,000.00	\$ 4,522,398.80	Direct Fund Cite (68-68X8145)	\$27,896,092.00	\$480,000.00	\$28,376,092.00	Direct Fund Cite (689/08195)	\$6,000,000.00	\$0.00	\$6,000,000.00	<b>Total</b>	<b>\$38,398,490.80</b>	<b>\$500,000.00</b>	<b>\$38,898,490.00</b>
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Part II - Approved Budget				EPA IAG Identification Number DW-96-94184301 - R
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$1,882,303	\$4,594		\$1,886,897
(b) Fringe Benefits	\$471,402	\$2,527		\$473,929
(c) Travel	\$315,500			\$315,500
(d) Equipment	\$46,700			\$46,700
(e) Supplies	\$18,605			\$18,605
(f) Procurement / Assistance	\$33,896,092	\$480,000		\$34,376,092
(g) Construction	\$0			\$0
(h) Other	\$337,576	\$8,500		\$346,076
(i) Total Direct Charges	\$36,968,178	\$495,621	\$0	\$37,463,799
(j) Indirect Costs:	\$1,430,312	\$4,379		\$1,434,691
<b>Charged - Amount</b> Rate: 61% Base: \$2,360,826.00 <b>Not Charged:</b> <b>Funds-Out: Not charged by Other Agency</b> Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$38,398,490	\$500,000	\$0	\$38,898,490
32. How was the IDC Base calculated? Personnel and Fringe Benefits				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Identify all equipment costing \$1,000 or more) Equipment needed in support of the SOW.				
34. Are any of these funds being used on Procure/Assistance agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Procure/Assistance Agreement Contract				
Contractor/Recipient Name (if known)	Total Procure/Assistance Amount Under This Project		Percent Funded by EPA (if known)	
Malcolm Pirnie	34376092 Total \$ 34,376,092.00		100	
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

**Part IV - Acceptance Conditions****EPA Identification Number**

DW-96-94184301 - R

**37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.****Part V - Offer and Acceptance**

**Note:** A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

**EPA IA Administration Office (for administrative assistance)****EPA Program Office (for technical assistance)****38. Organization/Address****39. Organization/Address**

U.S. Environmental Protection Agency  
IASSC West  
1200 Sixth Avenue, Suite 900, OMP-145  
Seattle, WA 98101

US Environmental Protection Agency  
R2 - Region 2  
290 Broadway  
New York, NY 10007-1866

**Award Official on Behalf of the Environment Protection Agency****40. Digital signature applied by EPA Award Official |** Armina K. Nolan - Manager - Grants and Interagency Agreements Unit**Date**

02/27/2013

**Authorizing Official on Behalf of the Other Agency****41. Signature****Typed Name and Title****Date**

## **Administrative Conditions**

Condition number 20 is ADDED:

**20. Restrictions on FY12 and/or FY13 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions (updated 11/21/2012)**

This IA obligates and transfers or advances EPA funds appropriated under Public Law 112-175 (Continuing Appropriations Resolution, 2013) which continues provisions in the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

Section 433 provides:


None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA. Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act. USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

**END OF DOCUMENT**

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35.	(Note: EPA Agency Location Code (ALC) - 68010727)			
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement	<input type="checkbox"/> Repayment <input type="checkbox"/> Advance			
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

<b>Part IV - Acceptance Conditions</b>		<b>EPA Identification Number</b>  DW-96-94184301 - R
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
<b>Part V - Offer and Acceptance</b>		
<p><b>Note:</b> A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
<b>EPA IA Administration Office (for administrative assistance)</b>		<b>EPA Program Office (for technical assistance)</b>
<b>38. Organization/Address</b>  U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	<b>39. Organization/Address</b>  US Environmental Protection Agency R2 - Region 2 290 Broadway New York, NY 10007-1866	
<b>Award Official on Behalf of the Environment Protection Agency</b>		
<b>40. Digital signature applied by EPA Award Official  </b> Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		<b>Date</b> 02/27/2013
<b>Authorizing Official on Behalf of the Other Agency</b>		
<b>41. Signature</b> <i>Shelly M. Allen</i>	<b>Typed Name and Title</b> <i>Scott E Young, Chief, Environmental Programs Branch</i>	<b>Date</b> 2-28-13

## **Administrative Conditions**

Condition number 20 is ADDED:

**20. Restrictions on FY12 and/or FY13 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions (updated 11/21/2012)**

This IA obligates and transfers or advances EPA funds appropriated under Public Law 112-175 (Continuing Appropriations Resolution, 2013) which continues provisions in the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA. Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act. USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

**END OF DOCUMENT**